

CRIMINAL CAUSE FOR TELEPHONE STATUS CONFERENCE

BEFORE: CIRCUIT JUDGE JOSEPH F. BIANCO (Sitting by Designation)

DATE: 05/11/2021      TIME: 2:05 p.m.      TIME IN COURT: 55 Minutes

DOCKET NUMBER: CR 13-00607 (JFB) (AYS)      TITLE: USA v. Kenner et al.

DEFT NAME: TOMMY CONSTANTINE (2)

X PRESENT    NOT PRESENT    IN CUSTODY    X ON BAIL

ATTY. FOR DEFT.: Sam Talkin

X PRESENT    NOT PRESENT    RET    X C.J.A    FED. DEF. OF NY, INC.

A.U.S.A. Matthew Haggans

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

DEPUTY CLERK: Jim Toritto

★ **MAY 11 2021** ★

FTR: 2:05-3:00

LONG ISLAND OFFICE

COURT REPORTER:    M. FOLEY    F. GUERINO    P. LOMBARDI  
                                 M. STEIGER    D. TURSI    O. WICKER

X CASE CALLED; COUNSEL FOR ALL SIDES PRESENT.

STATUS CONFERENCE/ORAL RULINGS

DEFENDANT PHILLIP A. KENNER CONTINUED IN CUSTODY.

X OTHER:

1. The Defendant's motion for bond pending appeal [DE 991] is denied. A written order will follow.
2. The Defendant's 5/14/21 surrender date is held in abeyance.
3. The Government shall submit a letter regarding whether or not the electronic devices in question are in the possession of law enforcement, and whether the forensic images still exist.
4. The parties are directed to have a conference call with the Defendant's doctor. Within two weeks, the defense shall submit a letter providing an update on the Defendant's medical condition.
5. The Government's request for an updated financial affidavit from the Defendant is denied at this time.